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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,259	01/16/2001	Arun Ahuja	CITI0210-US	9489

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KILPATRICK STOCKTON LLP
607 14TH STREET, N.W.
WASHINGTON, DC 20005

EXAMINER

NGUYEN, NGA B

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/759,259

Applicant(s)

AHUJA ET AL.

Examiner

Nga B. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 28, 2006 has been entered.
2. Claims 32-47 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 32-47 have been considered but are moot in view of new grounds of rejection.

Claim Objections

4. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 44 and 45 have been renumbered 46 and 47.

Claim Rejections - 35 USC § 102

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5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 43, 44, 46, and 47 are rejected under 35 U.S.C. 102(e) as being anticipated by Johnson, U.S. Patent No. 6,535,726.

Regarding to claim 43, Johnson discloses a method of distributing financial services remotely, comprising:

receiving bill paying requests including customer-supplied network compatible personal identification information from a wireless remote terminal over a cellular telephone communication channel (column 4, line 55-column 5, line 5, the supporting network 160 receives select site information, customer's PIN, and additional identifying customer information from the cellular telephone 140);

processing the bill paying requests substantially in real-time at a computer operatively coupled to the cellular telephone communication channel, the processing step including generating one of point-of-sale and interchange-compatible debit messages including the network compatible personal identification information responsive to information transmitted by a customer from the wireless remote terminal to the computer over the cellular telephone communication channel (figure 1A; column 5, lines 10-15 and column 6, lines 17-25, the supporting cellular network 160 processes

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the transaction charges against the customer account associated with the cellular telephone 140);

transmitting the debit messages over a network substantially in real-time response to customer bill paying request (column 5, lines 5-15, the supporting cellular network 160 returns the authorization information to the POS 110);

debiting at least one account of the customer substantially in real-time in response to the debit message (column 6, lines 17-20, the supporting cellular network 160 processes the transaction charges against the customer account associated with the cellular telephone 140, the transaction charges would then appear on the customer's cellular telephone bill); and

paying at least one entity selected by the customer via the wireless remote terminal with funds obtained by debiting the account of the customer (column 6, lines 5-10, the customer can select alternate payment means include credit card, debit card, or other payment credit device).

Regarding to claim 44, Johnson further discloses receiving a customer-inputted personal identification number that is encrypted (column 2, lines 5-20, signal between a digital cellular phone and its corresponding cellular network is based on digital encrypted communications, thus the PIN is transmitted from the cellular phone 140 is also encrypted because the cellular phone 140 is a digital cellular phone).

Regarding to claim 46, Johnson further discloses wherein the wireless remote terminal includes an alphanumeric multi-line display, for prompting the customer for inputs by displaying information on the alphanumeric multi-line display (figure 1A;

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column 4, lines 63-65, the cellular telephone 140 may prompt the customer to input a PIN; column 5, lines 52-55, the IKD 130 transmits a message to the cellular telephone 140 for displaying to the customer).

Regarding to claim 47, Johnson further discloses wherein the wireless remote terminal includes plural customer-depressible controls, for use by the customer to input customer-supplied network compatible personal identification information (column 4, lines 63-65, the cellular telephone 140 may prompt the customer to input a PIN).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 32-42 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson, U.S. Patent No. 6,535,726, in view of Griffith, U.S. Patent No. 6,356,752.

Regarding to claim 32, Johnson discloses a system for conducting financial transactions comprising:

a network including a computer connected to at least one financial institution that maintains an account for a customer (figure 1A; column 5, lines 10-15 and column 6, lines 17-25, the supporting cellular network 160 processes the transaction charges against the customer account associated with the cellular telephone 140);

at least one wireless remote data terminal including a customer input system and an alphanumeric display (figure 1A; column 4, lines 63-65, the cellular telephone 140 may prompt the customer to input a PIN; column 5, lines 52-55, the IKD 130 transmits a message to the cellular telephone 140 for displaying to the customer);

a cellular telephone communication channel connected to the wireless remote data terminal (figure 1A, cellular link 150), the wireless remote data terminal further including a system for generating first data representing a payee, and third data representing a network compatible personal identification number and a telecommunication system, the telecommunications system for communicating the first, and third data from the wireless remote data terminal to the computer via a wireless telecommunications network (column 4, lines 15-18 and lines 63-67, the cellular telephone 140 sends the retail site identification (first data representing a payee), PIN (third data) to the supporting cellular network 160 via the cellular link 150),

the computer further including a system for generating a digital message responsive to the communicated first and third data and for applying the digital message including the network compatible personal identification number to the network so as to selectively effect debiting of the customer account substantially in real-time responsive to customer manipulation of the wireless remote data terminal input keys (column 2, lines 5-25 and column 3, lines 40-55, the cellular telephone 140 is a digital cellular phone; column 6, lines 18-20, the supporting cellular telephone 160 processes the transaction charges against the customer account associated with the cellular telephone 140).

Johnson does not disclose generating and transmitting second data representing an amount. However, Griffith discloses disclose generating and transmitting second data representing an amount (column 4, lines 1-10, the site computer 104 transmits to wireless telephone 103 transaction data include an itemized list of items by price). Therefore, it would have been obvious to one of ordinary skill in the art to modify Johnson's to incorporate the Griffith's feature above, for the purpose of providing more easily for the customer to track the price of the items selected for purchase.

Regarding to claim 33, Johnson further discloses wherein the alphanumeric display is capable of displaying a maximum of N lines of text, N being an integer; and a plurality of keys selectable by the customer, for selecting one of the N display lines (figure 1A; column 4, lines 63-65, the cellular telephone 140 may prompt the customer to input a PIN; column 5, lines 52-55, the IKD 130 transmits a message to the cellular telephone 140 for displaying to the customer).

Regarding to claim 34, Johnson further discloses wherein the computer connects to the cellular telephone communication channel via a packet data network that frames messages in packets of predetermined length (column 5, lines 52-55, the IKD 130 transmits a message to the cellular telephone 140 for displaying to the customer; the cellular telephone 140 is capable of receiving and displaying messages, thus it is inherits that the cellular telephone communication channel in Johnson's includes a packet data network that frames messages in packets of predetermined length).

Regarding to claim 35, Johnson does not disclose wherein the computer includes a system for generating display data specifying the display content of all of the lines of

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the alphanumeric display device. However, the computer includes a system for generating display data specifying the display content of all of the lines of the alphanumeric display device is well known in the art. For example, the computer system includes a monitor for display information. Therefore, it would have been obvious to one of ordinary skill in the art to modify Johnson's to incorporate the Griffith's feature above, for the purpose of enabling the computer to generate and output transaction information.

Regarding to claim 36, Johnson further discloses an encryption system for encrypting at least one of the third data and the personal identification number (column 2, lines 5-20, signal between a digital cellular phone and its corresponding cellular network is based on digital encrypted communications, thus the PIN is transmitted from the cellular phone 140 is also encrypted because the cellular phone 140 is a digital cellular phone).

Regarding to claim 37, Johnson further discloses wherein the computer generates a data packet comprising digital data representing display and prompt information and transmits the generated packet to the wireless remote data terminal via the cellular telephone communication channel (column 4, lines 63-67, the supporting cellular network 160 prompts the customer to initiate the call and also requires the customer to input a PIN).

Regarding to claim 38, Johnson does not disclose wherein the wireless remote data terminal further includes a help key and a cancel key and the computer includes a system for providing help information for display on the wireless remote data terminal

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display in response to customer depression of the help key wherein the computer ignores the last keystroke provided by the customer in response to depression of the cancel key. However, it is well known in the art that the cellular phone includes a help key and a cancel key to allow the customer to press the help key for seeking more information, and to press the cancel key for ignoring the last keystroke. Therefore, it would have been obvious to one of ordinary skill in the art to modify Johnson's to include a help key and a cancel key in the cellular phone 140, for the purpose of providing more convenient for the customer when conducting transactions.

Regarding to claim 39, Johnson further discloses wherein the wireless remote data terminal further includes an alphanumeric keypad for facilitating input by the customer of navigation keys (the cellular telephone 140 may prompt the customer to input a PIN). Johnson does not disclose navigation keys for requesting recall of information previously displayed by the wireless remote data terminal. However, it is well known in the art that the cellular phone includes navigation keys for requesting recall of information previously displayed by the wireless remote data terminal. Therefore, it would have been obvious to one of ordinary skill in the art to modify Johnson's to include navigation keys in the cellular phone 140, for the purpose of providing more convenient for the customer when conducting transactions.

Regarding to claim 40, Johnson further discloses wherein the wireless remote data terminal includes voice and data communications capabilities, and further includes: a housing; a digital controller disposed within the housing, the customer input system being coupled to the digital controller for inputting the personal identification number,

an encrypting system coupled to the digital controller and disposed within the housing for encrypting the inputted personal identification number to provide network compatible encrypted personal identification data wherein the alphanumeric display is electrically coupled to the digital controller and disposed on the housing, and the alphanumeric display is capable of simultaneously displaying a plurality N of discrete lines of information; a plurality of customer-selectable controls, coupled to the controller and disposed on the housing, the customer-selectable controls for selection of menu options displayed on the discrete lines of information; a telephone handset for permitting voice communications over the cellular telephone communication channel for communicating bidirectionally with the computer in a packet data network format to provide interactivity between the computer and a customer viewing the alphanumeric display and operating the customer-selectable controls (column 2, lines 5-20, signal between a digital cellular phone and its corresponding cellular network is based on digital encrypted communications, thus the PIN is transmitted from the cellular phone 140 is also encrypted because the cellular phone 140 is a digital cellular phone; column 5, lines 52-55, the IKD 130 transmits a message to the cellular telephone 140 for displaying to the customer; the cellular telephone 140 is capable of receiving and displaying messages; it is inherent that the cellular telephone 140 includes a handset for permitting voice communications over the cellular telephone communication channel).

Regarding to claims 41-42, Johnson does not disclose wherein the wireless remote data terminal further includes a transmission system for periodically transmitting a random number over the cellular telephone communication channel and a power

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supply for providing power to at least the digital controller, the digital controller including a memory buffer for receiving and temporarily storing signals representing customer input and for supplying the stored signals for transmission over the cellular telephone communication channel. However, it is well known in the art that the digital cellular phone includes a transmission system for periodically transmitting a random number over the cellular telephone communication channel and a power supply for providing power to at least the digital controller, a memory buffer for receiving and temporarily storing signals representing customer input and for supplying the stored signals for transmission over the cellular telephone communication channel. Therefore, it would have been obvious to one of ordinary skill in the art to modify Johnson's to include a transmission system, a power supply, and a memory buffer in the cellular phone 140, for the purpose of enabling the cellular phone to perform the communication over the cellular telephone communication channel.

Regarding to claim 45, Johnson further discloses:

accepting transmitted activation of the wireless remote terminal coupled to a cellular telephone communication channel, such activation causing and controlling the wireless remote terminal to establish communication with a computer over the cellular telephone communication channel (column 4, lines 55-67, the customer position their cellular telephone 140 proximate POS 110 such that POS 110 transfer select site information to the cellular telephone);

accepting a transmitted encrypted personal customer identification number

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entered through the wireless remote terminal (column 4, lines 63-column 5, line 5, the supporting cellular network receives customer's PIN, the select site information an additional identifying customer information from the cellular phone 140);

accepting transmitted identification of a payee selected through the wireless remote terminal (column 4, lines 63-column 5, line 5, the supporting cellular network receives customer's PIN, the select site information an additional identifying customer information from the cellular phone 140);

generating, substantially in real-time at the computer in response to the transmitted encrypted personal customer identification number, transmitted identification of a payee and an amount to pay the payee, a debit message encoding encrypted personal customer identification number and the amount; transmitting the debit message from the computer to a customer's financial institution substantially in real-time over a network; validating and processing the debit message substantially in real-time, controlling, with the computer, a system for paying the selected payee the selected amount (column 6, lines 12-25 and column 5, lines 15-28).

Johnson does not disclose accepting transmitted an amount to pay the payee and transferring funds in the amount specified by the debit message from the customer's financial institution. However, Griffith discloses accepting transmitted an amount to pay the payee (column 4, lines 1-10, the site computer 104 transmits to wireless telephone 103 transaction data include an itemized list of items by price). Therefore, it would have been obvious to one of ordinary skill in the art to modify Johnson's to incorporate the Griffith's feature above, for the purpose of providing more easily for the customer to

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track the price of the items selected for purchase. Moreover, transferring funds in the amount specified by the debit message from the customer's financial institution is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify Johnson's to incorporate the well known feature above, for the purpose of more convenient and time consuming in settlement purchase transaction.

Conclusion

9. Claims **32-47** are rejected.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (703) 306-2901. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (703) 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-1113.

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
C/o Technology Center 3600
Washington, DC 20231


Or faxed to:

(703) 872-9326 (for formal communication intended for entry),

or

(703) 308-3691 (for informal or draft communication, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal
Drive, Arlington, VA, Seventh Floor (Receptionist).


NGA NGUYEN
PRIMARY EXAMINER

March 17, 2006